

ZONING INTERPRETATION RECORD

Subject of Interpretation: Visibility of exterior lighting in the ESL district

Zoning Ordinance Section Number: Section 6.1070.G.f – Site development Standards in the ESL District

Cause for Interpretation: There is a need for more clarity as to what is acceptable exterior lighting in the ESL. In particular, code enforcement needs standards that provide clarity and allow for uniform enforcement of the ordinance provisions. There have been a number of new types of lighting sources and fixtures since the original ordinance and interpretation were written.

Interpretation:

The following will be a phrase-by-phrase interpretation of the components of this section of the ordinance –

1. “Exterior lighting ...”: exterior lighting includes any lighting that is mounted outside of liveable building areas in placements such as in landscaping, parking areas, along walkways and paths, on the outside of building walls, under eaves and patio covers, under open shed covers, and within 3 feet of the opening in buildings where the opening is not regularly closed (such as breezeways and entry courts).
2. “Exterior lighting should be ...”: exterior lighting shall meet the intent of this section and this interpretation unless otherwise exempted herein or elsewhere by ordinance. Other options may be considered as long as they clearly meet the intent of this section and interpretation.
3. “Exterior lighting should be low scale ...”: low scale can mean either low in physical height, i.e. mounted or placed at a height generally below usual eye level (6 feet) or low in lighting intensity, i.e. the maximum capacity of the lighting fixture is 50 watts for incandescent and florescent lighting sources, 25 watts for halogen, 10 watts for metal halide, and 1 watt for LED lighting sources.
4. “Exterior lighting should be low scale and directed downward, recessed or shielded ...”: the housing and/or placement of the lighting source should be one that –
 - a. has the opening for the light to be emitted directed down toward the ground, not sideways;
 - b. hides the lighting source from view from off the property by structures such as fascia on an eave, walls, pillars, etc.; or
 - c. has a device such as vanes, louvers, fins, etc. that direct the light being emitted in a single direction.
5. “Exterior lighting should be low scale and directed downward, recessed or shielded so that the light source is not visible ...”: the actual light bulb can not be seen from viewpoints at the perimeter of the property. Translucent

and colored glass may not be considered as making the bulb not visible unless their opacity is enough to fully blur or hide the shape and nature of the lamp.

6. "Exterior lighting should be low scale and directed downward, recessed or shielded so that the light source is not visible from residential development in the area ...": residential development includes properties zoned with a residential (R) district or used for residential or resort purposes. This would apply to any residential development area adjacent to or within 300 feet of the subject property.
7. "Exterior lighting should be low scale and directed downward, recessed or shielded so that the light source is not visible from residential development in the area or from a public viewpoint.": Public viewpoints include public or private streets, public schools or parks, and any open space accessible to the public.

Exceptions:

The following applications are excepted from this zoning provision and interpretation:

- a) Any exterior lighting that is visible only from properties zoned and used for commercial, office, industrial or utility purposes.
- b) Low voltage (12v – 15 watt maximum) landscape lighting systems.
- c) Lighting located within a fully enclosed courtyard and placed below the height of the surrounding building or walls.
- d) Recreational facility lighting.
- e) Security lighting that is activated by motion sensors, is on for no more than 15 minutes, and is located where it does not come on frequently due to regular outdoor traffic or activity.

Examples:

The following are examples of lighting fixtures and applications that generally will meet or not meet the interpretation described above:

- 1) Meets interpretation –
 - a) Soffit-mounted lighting
 - b) Bollard lighting with opaque caps
 - c) Fixtures with lenses or shields that focus lighting in one specific direction (less than a 45 deg spread)
 - d) Light sconces that direct lighting only downward or are placed under an eave
 - e) In-ground landscape lighting
- 2) Do not meet interpretation –
 - a) Open bulb fixtures
 - b) Fixtures with clear or nearly clear glass or plastic faces
 - c) Fixtures with lenses that scatter light
 - d) Flood lights